

polygraphs

OLL 83-2958
2 December 1983

MEMORANDUM FOR: Special Assistant to the DCI

FROM:
Legislation Division, OLL

SUBJECT: Committee on Government Operations
Report on NSDD 84

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1. Attached is a copy of the Committee on Government Operations Report on National Security Decision Directive 84 (NSDD 84). The report also addresses the Department of Defense (DOD) regulations calling for expanded use of polygraphs. The Report finds that there is no scientific evidence to demonstrate the validity of polygraph use for screening purposes of any sort and that the polygraph cannot distinguish between people who are merely lying and those who are merely afraid or nervous. Furthermore, the Report finds that prepublication review provisions in NSDD 84 constitute an unwarranted violation of the First Amendment, in response to what the Committee characterizes as a negligible problem, and that freedom of speech in the United States is seriously threatened by the prepublication review requirement.

2. The report concludes that provisions in NSDD 84 regarding the expanded use of the polygraph and the prepublication review process should be rescinded, along with the DOD regulations, and if the Administration fails to rescind these provisions, Congress should enact legislation prohibiting expanded use of either the polygraph or the publication review process.

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Attachment

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